

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KARYN J BROBYSKOV, )  
Plaintiff, ) CASE NO. C13-1318-JLR-MAT  
v. )  
CAROLYN W. COLVIN, Acting ) REPORT AND RECOMMENDATION  
Commissioner of Social Security, )  
Defendant. )

Plaintiff brought this action to seek judicial review of the denial of an application for disability benefits by the Commissioner of the Social Security Administration. The parties now stipulate this case should be reversed and remanded for further proceedings. (Dkt. 20.)

Based on the stipulation of the parties, the Court recommends this case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Administrative Law Judge shall: (1) provide the claimant with an opportunity to submit additional evidence; (2) re-evaluate the claimant's mental impairments pursuant to the special technique in 20 C.F.R. § 404.1520a; (3) re-evaluate the

01 nature and severity of the claimant's impairments; (4) reconsider the claimant's residual  
02 functional capacity, and, in so doing, further evaluate the opinion evidence from the treating  
03 and examining sources; (5) further evaluate the lay witness testimony, pursuant to Social  
04 Security Ruling 06-03p; (6) give the claimant an opportunity for a hearing; and (7) issue a new  
05 decision. Also, upon proper application, the Court will consider plaintiff's application for  
06 attorneys' fees under the Equal Access to Justice Act, 24 U.S.C. § 2412, *et seq.*

7 The Court recommends that United States District Judge James L. Robart immediately  
8 approve this Report and Recommendation and order the case REVERSED and REMANDED  
9 for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A  
10 proposed order accompanies this Report and Recommendation.

11 DATED this 9th day of January, 2014.

Mark A. Lederle

---

Mary Alice Theiler  
Chief United States Magistrate Judge